

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BILLINGS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MARK ALEXANDER STIEF,

Defendant.

CR 19–56–BLG–DLC

ORDER

United States Magistrate Judge Timothy J. Cavan entered Findings and Recommendation in this matter on June 27, 2019. Neither party objected and therefore they are not entitled to *de novo* review of the record. 28 U.S.C. §

636(b)(1); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003).

This Court will review the Findings and Recommendation for clear error.

*McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313

(9th Cir. 1981). Clear error exists if the Court is left with a “definite and firm

conviction that a mistake has been committed.” *United States v. Syrax*, 235 F.3d

422, 427 (9th Cir. 2000).

Judge Cavan recommended this Court accept Mark Alexander Stief’s guilty

plea after Stief appeared before him pursuant to Federal Rule of Criminal Procedure 11, and entered a plea of guilty to prohibited person in possession of a firearm in violation of 18 U.S.C. § 922(g)(1), and possession of a stolen firearm in violation of 18 U.S.C. § 922(j) as charged in Counts I and II of the Indictment.

I find no clear error in Judge Cavan's Findings and Recommendation (Doc. 26), and I adopt them in full.

Accordingly, IT IS ORDERED that Mark Alexander Stief's motion to change plea (Doc.16) is GRANTED and Mark Alexander Stief is adjudged guilty as charged in Counts I and II of the Indictment.

DATED this 19th day of July, 2019.



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Dana L. Christensen, Chief District Judge  
United States District Court